

House File 911 - Introduced

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 1134HC)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to state departments
2 and agencies from the rebuild Iowa infrastructure fund,
3 vertical infrastructure fund, the endowment for Iowa's health
4 restricted capitals fund, and the technology reinvestment
5 fund, and related matters, and providing an effective date.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1134HV 82
8 rh/gg/14

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1 1 DIVISION I
1 2 REBUILD IOWA INFRASTRUCTURE FUND
1 3 Section 1. There is appropriated from the rebuild Iowa
1 4 infrastructure fund to the following departments and agencies
1 5 for the fiscal year beginning July 1, 2007, and ending June
1 6 30, 2008, the following amounts, or so much thereof as is
1 7 necessary, to be used for the purposes designated:
1 8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 9 a. For relocation and project costs directly associated
1 10 with remodeling projects on the capitol complex and for
1 11 facility lease payments, notwithstanding section 8.57,
1 12 subsection 6, paragraph "c":
1 13 \$ 1,824,500
1 14 b. For routine maintenance of state buildings and
1 15 facilities, notwithstanding section 8.57, subsection 6,
1 16 paragraph "c":
1 17 \$ 5,000,000
1 18 c. For costs associated with capitol interior and exterior
1 19 restoration:
1 20 \$ 6,300,000
1 21 d. For upgrades to the electrical distribution system
1 22 serving the capitol complex:
1 23 \$ 3,460,960
1 24 e. For costs associated with the enterprise resource
1 25 planning system, notwithstanding section 8.57, subsection 6,
1 26 paragraph "c":
1 27 \$ 1,500,000
1 28 f. For costs associated with the restoration of the west
1 29 capitol terrace:
1 30 \$ 1,600,000
1 31 g. For the purchase and installation of decorative
1 32 planters on state property west of the west capitol terrace,
1 33 notwithstanding section 8.57, subsection 6, paragraph "c":
1 34 \$ 120,000
1 35 h. For costs to repair parking lots and sidewalks on the
2 1 capitol complex:
2 2 \$ 1,650,000
2 3 i. To provide funding and related services for capitol
2 4 complex property acquisition, notwithstanding section 8.57,
2 5 subsection 6, paragraph "c":
2 6 \$ 1,000,000
2 7 j. For costs associated with the relocation of the vehicle
2 8 dispatch fueling station:
2 9 \$ 350,000
2 10 k. For costs associated with the central energy plant
2 11 addition and improvements:
2 12 \$ 998,000
2 13 l. For heating, ventilating, and air conditioning
2 14 improvements in the Hoover state office building:
2 15 \$ 1,320,000

2 16 m. For a feasibility study relating to renovations to the
 2 17 capitol complex utility tunnel system, notwithstanding section
 2 18 8.57, subsection 6, paragraph "c":
 2 19 \$ 260,000
 2 20 n. For costs associated with a feasibility study
 2 21 concerning asbestos abatement and related building renovation
 2 22 work at the Iowa workforce development building located at
 2 23 1000 E. Grand Avenue in Des Moines, notwithstanding section
 2 24 8.57, subsection 6, paragraph "c":
 2 25 \$ 1,000,000
 2 26 o. For allocation to the worker's monument committee for
 2 27 costs associated with the construction of a worker's monument
 2 28 to be located on the capitol complex:
 2 29 \$ 200,000
 2 30 p. For capital improvements at the civil commitment unit
 2 31 for sexual offenders facility at Cherokee:
 2 32 \$ 750,000
 2 33 2. DEPARTMENT OF CORRECTIONS
 2 34 a. For costs associated with the Cedar Rapids mental
 2 35 health facility:
 3 1 \$ 1,300,000
 3 2 b. For capital improvement projects at correctional
 3 3 facilities:
 3 4 \$ 5,495,000
 3 5 c. For the master planning process for the possible
 3 6 remodel, expansion, and demolition of buildings at the Iowa
 3 7 correctional institution for women; to develop, validate, and
 3 8 implement custody classification systems; and a research-based
 3 9 study of the substance abuse, sex offender, and medical and
 3 10 mental health treatment programs to ensure adherence to
 3 11 evidence-based practices, notwithstanding section 8.57,
 3 12 subsection 6, paragraph "c":
 3 13 \$ 500,000
 3 14 d. For the lease payment under the lease-purchase
 3 15 agreement to connect the electrical system supporting the
 3 16 special needs unit at Fort Madison:
 3 17 \$ 333,168
 3 18 e. For costs associated with boiler improvements at the
 3 19 correctional facility located at Anamosa:
 3 20 \$ 25,000
 3 21 3. DEPARTMENT OF CULTURAL AFFAIRS
 3 22 a. For continuation of the project recommended by the Iowa
 3 23 battle flag advisory committee to stabilize the condition of
 3 24 the battle flag collection, notwithstanding section 8.57,
 3 25 subsection 6, paragraph "c":
 3 26 \$ 220,000
 3 27 The department is authorized an additional 1.50 full-time
 3 28 equivalent positions for a conservation assistant and a
 3 29 part-time historian for work related to the stabilization and
 3 30 preservation of the battle flag collection.
 3 31 b. For historical site preservation grants to be used for
 3 32 the restoration, preservation, and development of historic
 3 33 sites:
 3 34 \$ 1,000,000
 3 35 In making grants pursuant to this lettered paragraph, the
 4 1 department shall consider the existence and amount of other
 4 2 funds available to an applicant for the designated project. A
 4 3 grant awarded from moneys appropriated in this lettered
 4 4 paragraph shall not exceed \$100,000 per project. Not more
 4 5 than two grants may be awarded in the same county.
 4 6 Notwithstanding the provisions of this lettered paragraph,
 4 7 \$200,000 shall be allocated to the last surviving Frank Lloyd
 4 8 Wright hotel located in a county with a population between
 4 9 46,000 and 47,000.
 4 10 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 4 11 a. For infrastructure expenses to support the development
 4 12 and expansion of targeted industry areas of advanced
 4 13 manufacturing, bioscience, and information technology pursuant
 4 14 to 2007 Iowa Acts, House File 829, if enacted, notwithstanding
 4 15 section 8.57, subsection 6, paragraph "c":
 4 16 \$ 1,750,000
 4 17 b. For accelerated career education program capital
 4 18 projects at community colleges that are authorized under
 4 19 chapter 260G and that meet the definition of "vertical
 4 20 infrastructure" in section 8.57, subsection 6, paragraph "c":
 4 21 \$ 5,500,000
 4 22 The moneys appropriated in this lettered paragraph shall be
 4 23 allocated equally among the community colleges in the state.
 4 24 If any portion of the equal allocation to a community college
 4 25 is not obligated or encumbered by April 1, 2008, the
 4 26 unobligated and unencumbered portions shall be available for

4 27 use by other community colleges.
 4 28 5. DEPARTMENT OF EDUCATION
 4 29 a. To provide resources for structural and technological
 4 30 improvements to local libraries and for the enrich Iowa
 4 31 program, notwithstanding section 8.57, subsection 6, paragraph
 4 32 "c":
 4 33 \$ 1,000,000
 4 34 Of the amount appropriated in this lettered paragraph,
 4 35 \$50,000 shall be allocated equally to each library service
 5 1 area.
 5 2 b. To the public broadcasting division to upgrade and
 5 3 replace mechanical equipment:
 5 4 \$ 1,275,000
 5 5 6. DEPARTMENT OF HUMAN SERVICES
 5 6 For the renovation and construction of certain nursing
 5 7 facilities, consistent with the provisions of chapter 249K, as
 5 8 enacted in this Act:
 5 9 \$ 1,000,000
 5 10 7. IOWA FINANCE AUTHORITY
 5 11 a. For grants for distribution for water quality
 5 12 improvement projects:
 5 13 \$ 4,000,000
 5 14 b. For deposit into the housing trust fund created in
 5 15 section 16.181:
 5 16 \$ 2,500,000
 5 17 8. IOWA STATE FAIR
 5 18 For infrastructure improvements to the Iowa state
 5 19 fairgrounds including but not limited to the construction of
 5 20 an agricultural exhibition center on the Iowa state
 5 21 fairgrounds:
 5 22 \$ 3,000,000
 5 23 9. DEPARTMENT OF NATURAL RESOURCES
 5 24 a. For state park infrastructure renovations:
 5 25 \$ 2,500,000
 5 26 b. For implementation of lake projects that have
 5 27 established watershed improvement initiatives and community
 5 28 support in accordance with the department's annual lake
 5 29 restoration plan and report, notwithstanding section 8.57,
 5 30 subsection 6, paragraph "c":
 5 31 \$ 8,600,000
 5 32 Of the moneys appropriated in this lettered paragraph,
 5 33 \$200,000 shall be used for the purposes of supporting a low
 5 34 head dam public hazard improvement program. The moneys shall
 5 35 be used to provide grants to local communities, including
 6 1 counties and cities, for projects approved by the department.
 6 2 (1) The department shall establish a grant application
 6 3 process and shall require each local community applying for a
 6 4 project grant to submit a project plan for the expenditure of
 6 5 the moneys, and to file a report with the department regarding
 6 6 the project, as required by the department.
 6 7 (2) The department shall only award moneys on a matching
 6 8 basis, pursuant to which the local community shall contribute
 6 9 a dollar for each dollar awarded by the department, in order
 6 10 to finance a project.
 6 11 c. For infrastructure improvements for a state river
 6 12 recreation area located in a county with a population between
 6 13 21,900 and 22,100:
 6 14 \$ 750,000
 6 15 d. For lake dredging and related improvements including
 6 16 ongoing dam maintenance and operation on a lake with public
 6 17 access that has the support of a benefited lake district
 6 18 located in a county with a population between 18,015 and
 6 19 18,050 according to the 2005 population estimate issued by the
 6 20 federal government, notwithstanding section 8.57, subsection
 6 21 6, paragraph "c":
 6 22 \$ 100,000
 6 23 e. For the construction and installation of an angled
 6 24 well, pumps, and piping to connect the existing infrastructure
 6 25 from the new well to a lake located in a county with a
 6 26 population between 87,500 and 88,000:
 6 27 \$ 500,000
 6 28 Moneys appropriated in this lettered paragraph are
 6 29 contingent upon receipt of matching funds from a state taxing
 6 30 authority surrounding such lake.
 6 31 10. DEPARTMENT OF PUBLIC DEFENSE
 6 32 a. For construction costs associated with the Camp Dodge
 6 33 armed forces readiness center:
 6 34 \$ 50,000
 6 35 b. For construction costs associated with the new Iowa
 7 1 City readiness center:
 7 2 \$ 1,200,000

7 3 c. For renovation and modernization of the Waterloo
 7 4 aviation readiness center:
 7 5 \$ 500,000
 7 6 d. For upgrades to the Camp Dodge water distribution
 7 7 system:
 7 8 \$ 400,000
 7 9 e. For major maintenance projects at national guard
 7 10 armories and facilities:
 7 11 \$ 1,500,000
 7 12 f. For renovation and modernization of the national guard
 7 13 armory in Ottumwa:
 7 14 \$ 1,000,000
 7 15 g. For renovation and modernization of the Newton
 7 16 readiness center:
 7 17 \$ 400,000
 7 18 h. For renovation and modernization of the Eagle Grove
 7 19 readiness center:
 7 20 \$ 400,000
 7 21 i. For construction costs associated with the joint public
 7 22 defense/Iowa law enforcement academy shoothouse:
 7 23 \$ 500,000
 7 24 j. For general infrastructure improvements at the gold
 7 25 star museum at Camp Dodge:
 7 26 \$ 1,000,000
 7 27 11. DEPARTMENT OF PUBLIC SAFETY
 7 28 a. For construction of an Iowa state patrol post in
 7 29 district 8:
 7 30 \$ 2,400,000
 7 31 b. For construction of a state emergency response training
 7 32 facility to be located in merged area XI:
 7 33 \$ 2,000,000
 7 34 c. To provide grants to regional emergency response
 7 35 training centers established under section 100B.22 for
 8 1 infrastructure improvements:
 8 2 \$ 900,000
 8 3 12. SECRETARY OF STATE
 8 4 To provide grants to counties for the purchase of voting
 8 5 machines, notwithstanding section 8.57, subsection 6,
 8 6 paragraph "c":
 8 7 \$ 4,500,000
 8 8 13. STATE BOARD OF REGENTS
 8 9 a. For allocation by the state board of regents to the
 8 10 state university of Iowa, the Iowa state university of science
 8 11 and technology, and the university of northern Iowa to
 8 12 reimburse the institutions for deficiencies in their operating
 8 13 funds resulting from the pledging of tuition, student fees and
 8 14 charges, and institutional income to finance the cost of
 8 15 providing academic and administrative buildings and facilities
 8 16 and utility services at the institutions, notwithstanding
 8 17 section 8.57, subsection 6, paragraph "c":
 8 18 \$ 10,329,981
 8 19 b. For costs associated with the establishment of the Iowa
 8 20 institute for biomedical discovery at the state university of
 8 21 Iowa:
 8 22 \$ 10,000,000
 8 23 c. For planning, design, and construction costs associated
 8 24 with the construction of a new renewable fuels building at
 8 25 Iowa state university of science and technology:
 8 26 \$ 5,647,000
 8 27 14. DEPARTMENT OF TRANSPORTATION
 8 28 a. For acquiring, constructing, and improving recreational
 8 29 trails within the state:
 8 30 \$ 2,000,000
 8 31 b. For infrastructure improvements at the commercial air
 8 32 service airports within the state:
 8 33 \$ 1,500,000
 8 34 Fifty percent of the funds appropriated in this lettered
 8 35 paragraph shall be allocated equally between each commercial
 9 1 air service airport, 40 percent of the funds shall be
 9 2 allocated based on the percentage that the number of enplaned
 9 3 passengers at each commercial air service airport bears to the
 9 4 total number of enplaned passengers in the state during the
 9 5 previous fiscal year, and 10 percent of the funds shall be
 9 6 allocated based upon the percentage that the air cargo tonnage
 9 7 at each commercial air service airport bears to the total air
 9 8 cargo tonnage in the state during the previous fiscal year.
 9 9 In order for a commercial air service airport to receive
 9 10 funding under this lettered paragraph, the airport shall be
 9 11 required to submit applications for funding of specific
 9 12 projects to the department for approval by the state
 9 13 transportation commission.

9 14 c. For infrastructure improvements at general aviation
 9 15 airports within the state:
 9 16 \$ 750,000
 9 17 d. For deposit into the railroad revolving loan and grant
 9 18 fund created in section 327H.20A notwithstanding section 8.57,
 9 19 subsection 6, paragraph "c":
 9 20 \$ 2,000,000
 9 21 It is the intent of the general assembly that the moneys
 9 22 appropriated in this lettered paragraph shall be used to
 9 23 generate at least \$10,000,000 in vertical infrastructure
 9 24 capital investments.
 9 25 15. TREASURER OF STATE
 9 26 For county fair infrastructure improvements for
 9 27 distribution in accordance with chapter 174 to qualified fairs
 9 28 which belong to the association of Iowa fairs:
 9 29 \$ 1,590,000
 9 30 Sec. 2. REVERSION. Notwithstanding section 8.33, moneys
 9 31 appropriated for the fiscal year beginning July 1, 2007, in
 9 32 this division of this Act that remain unencumbered or
 9 33 unobligated at the close of the fiscal year shall not revert
 9 34 but shall remain available for the purposes designated until
 9 35 the close of the fiscal year that begins July 1, 2010, or
 10 1 until the project for which the appropriation was made is
 10 2 completed, whichever is earlier.
 10 3 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
 10 4 appropriated from the rebuild Iowa infrastructure fund for the
 10 5 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 10 6 the following amount, or so much thereof as is necessary, to
 10 7 be used for the purpose designated:
 10 8 For capital improvements at the civil commitment unit for
 10 9 the sexual offenders facility at Cherokee:
 10 10 \$ 829,000
 10 11 Notwithstanding section 8.33, moneys appropriated in this
 10 12 section shall not revert at the close of the fiscal year for
 10 13 which they were appropriated but shall remain available for
 10 14 the purposes designated until the close of the fiscal year
 10 15 that begins July 1, 2011, or until the project for which the
 10 16 appropriation was made is completed, whichever is earlier.
 10 17 Sec. 4. DEPARTMENT OF NATURAL RESOURCES. There is
 10 18 appropriated from the rebuild Iowa infrastructure fund for the
 10 19 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 10 20 the following amount, or so much thereof as is necessary, to
 10 21 be used for the purposes designated:
 10 22 a. For infrastructure improvements for a state river
 10 23 recreation area located in a county with a population between
 10 24 21,900 and 22,100:
 10 25 \$ 750,000
 10 26 b. For the construction and installation of an angled
 10 27 well, pumps, and piping to connect the existing infrastructure
 10 28 from the new well to a lake located in a county with a
 10 29 population between 87,500 and 88,000:
 10 30 \$ 500,000
 10 31 Moneys appropriated in this lettered paragraph are
 10 32 contingent upon receipt of matching funds from a state taxing
 10 33 authority surrounding such lake.
 10 34 Notwithstanding section 8.33, moneys appropriated in this
 10 35 section shall not revert at the close of the fiscal year for
 11 1 which they were appropriated but shall remain available for
 11 2 the purposes designated until the close of the fiscal year
 11 3 that begins July 1, 2011, or until the project for which the
 11 4 appropriation was made is completed, whichever is earlier.
 11 5 Sec. 5. DEPARTMENT OF PUBLIC DEFENSE. There is
 11 6 appropriated from the rebuild Iowa infrastructure fund for the
 11 7 designated fiscal years, the following amounts, or so much
 11 8 thereof as is necessary, to be used for the purposes
 11 9 designated:
 11 10 For infrastructure improvements at the gold star museum at
 11 11 Camp Dodge:
 11 12 FY 2008=2009..... \$ 2,000,000
 11 13 FY 2009=2010..... \$ 1,000,000
 11 14 Notwithstanding section 8.33, moneys appropriated in this
 11 15 section shall not revert at the close of the fiscal year for
 11 16 which they were appropriated but shall remain available for
 11 17 the purposes designated until the close of the fiscal year
 11 18 that begins July 1, 2012, or until the project for which the
 11 19 appropriation was made is completed, whichever is earlier.
 11 20 Sec. 6. STATE BOARD OF REGENTS. There is appropriated
 11 21 from the rebuild Iowa infrastructure fund for the designated
 11 22 fiscal years, the following amounts, or so much thereof as is
 11 23 necessary, to be used for the purposes designated:
 11 24 1. For costs associated with the establishment of the Iowa

11 25 institute for biomedical discovery at the state university of
 11 26 Iowa:
 11 27 FY 2008=2009..... \$ 10,000,000
 11 28 FY 2009=2010..... \$ 10,000,000
 11 29 2. For planning, design, and construction costs associated
 11 30 with the construction of a new renewable fuels building at
 11 31 Iowa state university of science and technology:
 11 32 FY 2008=2009..... \$ 14,756,000
 11 33 FY 2009=2010..... \$ 11,597,000
 11 34 Notwithstanding section 8.33, moneys appropriated in this
 11 35 section shall not revert at the close of the fiscal year for
 12 1 which they were appropriated but shall remain available for
 12 2 the purposes designated until the close of the fiscal year
 12 3 that begins July 1, 2011, or until the project for which the
 12 4 appropriation was made is completed, whichever is earlier.
 12 5 DIVISION II
 12 6 VERTICAL INFRASTRUCTURE FUND
 12 7 Sec. 7. There is appropriated from the vertical
 12 8 infrastructure fund to the state board of regents for the
 12 9 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 12 10 the following amount, or so much thereof as is necessary, to
 12 11 be used for the purposes designated:
 12 12 For vertical infrastructure projects related to major
 12 13 repairs and major maintenance including fire safety
 12 14 improvements at state board of regents institutions and
 12 15 facilities:
 12 16 \$ 1,000,000
 12 17 Of the amount appropriated in this section, \$500,000 shall
 12 18 be allocated to the state school for the deaf and \$500,000
 12 19 shall be allocate to the Iowa braille and sight saving school
 12 20 for improvements to existing facilities for both schools.
 12 21 Sec. 8. REVERSION. Notwithstanding section 8.33, moneys
 12 22 appropriated for the fiscal year beginning July 1, 2007, in
 12 23 this division of this Act that remain unencumbered or
 12 24 unobligated at the close of the fiscal year shall not revert
 12 25 but shall remain available for the purposes designated until
 12 26 the close of the fiscal year that begins July 1, 2010, or
 12 27 until the project for which the appropriation was made is
 12 28 completed, whichever is earlier.
 12 29 DIVISION III
 12 30 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND
 12 31 Sec. 9. There is appropriated from the endowment for
 12 32 Iowa's health restricted capitals fund to the department of
 12 33 corrections for the fiscal year beginning July 1, 2007, and
 12 34 ending June 30, 2008, the following amounts, or so much
 12 35 thereof as is necessary, to be used for the purposes
 13 1 designated:
 13 2 For costs associated with the remodeling of the kitchen
 13 3 facility at the correctional facility located in Anamosa:
 13 4 \$ 1,400,000
 13 5 Sec. 10. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.
 13 6 Payment of moneys from the appropriations in this division of
 13 7 this Act shall be made in a manner that does not adversely
 13 8 affect the tax-exempt status of any outstanding bonds issued
 13 9 by the tobacco settlement authority.
 13 10 Sec. 11. REVERSION. Notwithstanding section 8.33, moneys
 13 11 appropriated for the fiscal year that begins July 1, 2007, in
 13 12 this division of this Act that remain unencumbered or
 13 13 unobligated at the close of the fiscal year shall not revert
 13 14 but shall remain available for the purposes designated until
 13 15 the close of the fiscal year that begins July 1, 2011, or
 13 16 until the project for which the appropriation was made is
 13 17 completed, whichever is earlier.
 13 18 DIVISION IV
 13 19 TECHNOLOGY REINVESTMENT FUND
 13 20 Sec. 12. There is appropriated from the technology
 13 21 reinvestment fund created in section 8.57C to the following
 13 22 departments and agencies for the fiscal year beginning July 1,
 13 23 2007, and ending June 30, 2008, the following amounts, or so
 13 24 much thereof as is necessary, to be used for the purposes
 13 25 designated:
 13 26 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 13 27 a. For technology improvement projects:
 13 28 \$ 4,010,375
 13 29 b. For costs to establish a service-oriented architecture:
 13 30 \$ 254,992
 13 31 2. DEPARTMENT OF CORRECTIONS
 13 32 For costs associated with the Iowa corrections offender
 13 33 network data system:
 13 34 \$ 500,000
 13 35 3. DEPARTMENT OF EDUCATION

14 1 a. For implementation of the provisions of chapter 280A:
 14 2 \$ 500,000
 14 3 b. For maintenance and lease costs associated with
 14 4 connections for Part III of the Iowa communications network:
 14 5 \$ 2,727,000
 14 6 c. For the implementation of an educational data warehouse
 14 7 that will be utilized by teachers, parents, school district
 14 8 administrators, area education agency staff, department of
 14 9 education staff, and policymakers:
 14 10 \$ 600,000
 14 11 4. DEPARTMENT OF HUMAN RIGHTS
 14 12 For the cost of equipment and computer software for the
 14 13 implementation of Iowa's criminal justice information system:
 14 14 \$ 2,881,466
 14 15 5. DEPARTMENT OF HUMAN SERVICES
 14 16 For the purchase of payment processing equipment for the
 14 17 child support recovery unit:
 14 18 \$ 272,000
 14 19 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
 14 20 For replacement of equipment for the Iowa communications
 14 21 network:
 14 22 \$ 2,067,000
 14 23 The commission may continue to enter into contracts
 14 24 pursuant to section 8D.13 for the replacement of equipment and
 14 25 for operations and maintenance costs of the network.
 14 26 7. IOWA WORKFORCE DEVELOPMENT
 14 27 a. For costs associated with the automated workers'
 14 28 compensation appeal processing system:
 14 29 \$ 500,000
 14 30 b. For the purchase of computer hardware and software for
 14 31 the outcome tracking system:
 14 32 \$ 380,000
 14 33 8. DEPARTMENT OF PUBLIC DEFENSE
 14 34 For information technology upgrades for the Iowa national
 14 35 guard:
 15 1 \$ 111,000
 15 2 9. DEPARTMENT OF PUBLIC SAFETY
 15 3 a. For continuation of payments on the lease of the
 15 4 automated fingerprint identification system:
 15 5 \$ 560,000
 15 6 b. For information technology hardware and software
 15 7 upgrades for the department of public safety:
 15 8 \$ 1,900,000
 15 9 10. STATE BOARD OF REGENTS. For allocation by the state
 15 10 board of regents to the university of northern Iowa to
 15 11 purchase mobile computer labs to serve communities statewide,
 15 12 replace technology equipment, and build advanced technology
 15 13 resources associated with MyEntreNet:
 15 14 \$ 235,000
 15 15 Sec. 13. REVERSION. Notwithstanding section 8.33, moneys
 15 16 appropriated for the fiscal year beginning July 1, 2007, in
 15 17 this division of this Act that remain unencumbered or
 15 18 unobligated at the close of the fiscal year shall not revert
 15 19 but shall remain available for the purposes designated until
 15 20 the close of the fiscal year beginning July 1, 2009, or until
 15 21 the project for which the appropriation was made is completed,
 15 22 whichever is earlier.
 15 23 DIVISION V
 15 24 MISCELLANEOUS APPROPRIATIONS
 15 25 Sec. 14. STATE AVIATION FUND == DEPARTMENT OF
 15 26 TRANSPORTATION. There is appropriated from the state aviation
 15 27 fund created in section 328.56, as enacted in 2006 Iowa Acts,
 15 28 chapter 1179, section 57, to the department of transportation
 15 29 to assist an aviation authority that has lost service of a
 15 30 federally funded essential air service carrier to regain daily
 15 31 enplanement rates:
 15 32 \$ 20,000
 15 33 DIVISION VI
 15 34 CHANGES TO PRIOR APPROPRIATIONS
 15 35 Sec. 15. 2001 Iowa Acts, chapter 185, section 30, as
 16 1 amended by 2005 Iowa Acts, chapter 178, section 22, and 2006
 16 2 Iowa Acts, chapter 1179, section 27, is amended to read as
 16 3 follows:
 16 4 SEC. 30. REVERSION.
 16 5 1. Except as provided in ~~subsection~~ subsections 2 and 3
 16 6 and notwithstanding section 8.33, moneys appropriated in this
 16 7 division of this Act shall not revert at the close of the
 16 8 fiscal year for which they were appropriated but shall remain
 16 9 available for the purposes designated until the close of the
 16 10 fiscal year that begins July 1, 2004, or until the project for
 16 11 which the appropriation was made is completed, whichever is

16 12 earlier.
16 13 2. Notwithstanding section 8.33, moneys appropriated in
16 14 section 25, subsection 3, paragraph "b", ~~and section 28~~ of
16 15 this division of this Act shall not revert at the close of the
16 16 fiscal year for which they were appropriated but shall remain
16 17 available for the purpose designated until the close of the
16 18 fiscal year that begins July 1, 2006, or until the project for
16 19 which the appropriation was made is completed, whichever is
16 20 earlier.

16 21 3. Notwithstanding section 8.33, moneys appropriated in
16 22 section 28 of this division of this Act shall not revert at
16 23 the close of the fiscal year for which they were appropriated
16 24 but shall remain available for the purpose designated until
16 25 the close of the fiscal year that begins July 1, 2007, or
16 26 until the project for which the appropriation was made is
16 27 completed, whichever is earlier.

16 28 Sec. 16. 2003 Iowa Acts, chapter 177, section 22,
16 29 subsection 13, is amended to read as follows:

16 30 13. REVERSION.

16 31 1. Notwithstanding Except as provided in subsection 2 and
16 32 notwithstanding section 8.33, moneys appropriated in this
16 33 section shall not revert at the close of the fiscal year for
16 34 which they were appropriated but shall remain available for
16 35 the purposes designated until the close of the fiscal year
17 1 that begins July 1, 2006, or until the project for which the
17 2 appropriation was made is completed, whichever is earlier.

17 3 2. Notwithstanding section 8.33, moneys appropriated in
17 4 subsection 9, paragraph "c", shall not revert at the close of
17 5 the fiscal year for which they were appropriated but shall
17 6 remain available for the purpose designated until the close of
17 7 the fiscal year that begins July 1, 2007, or until the project
17 8 for which the appropriation was made is completed, whichever
17 9 is earlier.

17 10 Sec. 17. 2003 Iowa Acts, chapter 177, section 23,
17 11 subsection 3, as amended by 2004 Iowa Acts, chapter 1175,
17 12 section 309, is amended to read as follows:

17 13 3. Notwithstanding section 8.33, moneys appropriated in
17 14 this section shall not revert at the close of the fiscal year
17 15 for which they were appropriated, but shall remain available
17 16 for the purpose designated until the close of the fiscal year
17 17 that begins July 1, ~~2006~~ 2007, or until the project for which
17 18 the appropriation was made is completed, whichever is earlier.

17 19 Sec. 18. 2005 Iowa Acts, chapter 178, section 19,
17 20 subsection 3, is amended to read as follows:

17 21 3. REVERSION.

17 22 1. Notwithstanding Except as provided in subsection 2 and
17 23 notwithstanding section 8.33, moneys appropriated in this
17 24 section shall not revert at the close of the fiscal year for
17 25 which they were appropriated but shall remain available for
17 26 the purposes designated until the close of the fiscal year
17 27 that begins July 1, 2006, or until the project for which the
17 28 appropriation was made is completed, whichever is earlier.

17 29 2. Notwithstanding section 8.33, moneys appropriated in
17 30 subsection 1, paragraph "a", subparagraph (1), and subsection
17 31 1, paragraph "g", shall not revert at the close of the fiscal
17 32 year for which they were appropriated but shall remain
17 33 available for the purpose designated until the close of the
17 34 fiscal year that begins July 1, 2007, or until the project for
17 35 which the appropriation was made is completed, whichever is
18 1 earlier.

18 2 Sec. 19. 2006 Iowa Acts, chapter 1179, section 5, is
18 3 amended to read as follows:

18 4 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
18 5 appropriated from the rebuild Iowa infrastructure fund to the
18 6 department of administrative services for the designated
18 7 fiscal years, the following amounts, or so much thereof as is
18 8 necessary, to be used for the purposes designated:

18 9	For planning, design, and construction costs associated	
18 10	with the construction of a new approximately	
18 11	350,000=gross=square=foot state office building, including	
18 12	costs associated with furnishings, employee relocation, and	
18 13	the demolition of the Wallace Building:	
18 14	FY 2007=2008.....	\$ 16,100,000
18 15		<u>4,100,000</u>
18 16	FY 2008=2009.....	\$ 16,800,000
18 17		<u>22,800,000</u>
18 18	FY 2009=2010.....	\$ 6,657,100
18 19		<u>12,657,100</u>

18 20 Notwithstanding section 8.33, moneys appropriated in this
18 21 section shall not revert at the close of the fiscal year for
18 22 which they were appropriated but shall remain available for

18 23 the purposes designated until the close of the fiscal year
18 24 that begins July 1, 2011, or until the project for which the
18 25 appropriation was made is completed, whichever is earlier.
18 26 The design specifications of the new state office building
18 27 shall include, at a minimum, energy efficiency specifications
18 28 that exceed state building code requirements and have the
18 29 potential for leadership in energy and environmental design
18 30 silver certification from the United States green building
18 31 council.

18 32 Sec. 20. 2006 Iowa Acts, chapter 1179, section 16,
18 33 subsection 12, is amended to read as follows:

18 34 12. DEPARTMENT OF VETERANS AFFAIRS

18 35 For capital improvement projects at the Iowa veterans home:

19 1 \$ 6,200,000

19 2 Of the moneys appropriated in this subsection, the
19 3 department shall use an amount necessary for planning and
19 4 design services related to the construction of new facilities
19 5 at the Iowa veterans home consistent with the Iowa veterans
19 6 home comprehensive plan. The department shall submit a report
19 7 by January 15, 2008, to the general assembly, the department
19 8 of management, and the legislative services agency detailing
19 9 the estimated costs and timing of construction and related
19 10 improvements associated with the project consistent with the
19 11 Iowa veterans home comprehensive plan.

19 12 It is the intent of the general assembly to provide state
19 13 match requirements necessary for the construction and repair
19 14 of buildings and facilities at the Iowa veterans home that
19 15 results in the improved care and living standards of veterans
19 16 residing at the Iowa veterans home. Upon receipt of the
19 17 estimated construction and facility improvement costs at the
19 18 Iowa veterans home, it is the intent of the general assembly
19 19 to explore funding options for completion of the Iowa veterans
19 20 home projects including but not limited to bonding.

19 21 Sec. 21. 2006 Iowa Acts, chapter 1179, section 19, is
19 22 amended to read as follows:

19 23 SEC. 19. REPORT. Annually, on or before January 15 of
19 24 each year, a state agency that received an appropriation from
19 25 the endowment for Iowa's health restricted capitals fund ~~for~~
19 26 ~~the preceding fiscal year shall report to the joint~~
19 27 ~~transportation, infrastructure, and capitals appropriation~~
19 28 ~~subcommittee, the legislative services agency, and the~~
19 29 ~~department of management, and the legislative capital projects~~
19 30 ~~committee of the legislative council the status of all ongoing~~
19 31 ~~projects for which an appropriation from the fund has been~~
19 32 ~~made completed or in progress. The report shall include a~~
19 33 ~~description of the project, the progress of work completed,~~
19 34 ~~the total estimated cost of the project, a list of all revenue~~
19 35 ~~sources being used to fund the project, the amount of funds~~
20 1 ~~expended, the amount of funds obligated, and the date the~~
20 2 ~~project was completed or an estimated completion date of the~~
20 3 ~~project, where applicable.~~

20 4 Sec. 22. 2006 Iowa Acts, chapter 1179, section 24,
20 5 subsection 1, is amended to read as follows:

20 6 1. DEPARTMENT OF NATURAL RESOURCES

20 7 a. For implementation of lake projects that have
20 8 established watershed improvement initiatives and community
20 9 support in accordance with the department's annual lake
20 10 restoration plan and report:

20 11 \$ 8,600,000

20 12 It is the intent of the general assembly that all lake
20 13 restoration projects that satisfy the criteria required in
20 14 section 456A.33B and whose project designers worked with the
20 15 department to develop an action plan prior to January 1, 2006,
20 16 shall be funded in the amounts and according to the timeline
20 17 for fiscal year 2006=2007 provided in the department's Iowa
20 18 lakes restoration report submitted to the Eighty-first General
20 19 Assembly.

20 20 Of the amounts appropriated in this ~~subsection~~ lettered
20 21 paragraph, at least the following amounts shall be allocated
20 22 as follows:

20 23 a- (1) For clear lake in Cerro Gordo county:

20 24 \$ 4,000,000

20 25 b- (2) For storm lake in Buena Vista county:

20 26 \$ 500,000

20 27 c- (3) For crystal lake in Hancock county:

20 28 \$ 1,400,000

20 29 d- (4) For the purposes of contracting with qualified
20 30 persons outside the department to conduct use attainability
20 31 analyses in conformance with section 455B.176A, as enacted in
20 32 2006 Iowa Acts, Senate File 2363, if enacted, or in any other
20 33 Act of the Eighty-first General Assembly, 2006 Session:

20 34 \$ 750,000
20 35 b. Notwithstanding section 8.33, moneys appropriated in
21 1 this subsection that remain unencumbered or unobligated at the
21 2 close of the fiscal year shall not revert but shall remain
21 3 available for the purposes designated until the close of the
21 4 fiscal year that begins July 1, 2009, or until the project for
21 5 which the appropriation was made is completed, whichever is
21 6 earlier.

21 7 DIVISION VII

21 8 MISCELLANEOUS CODE CHANGES

21 9 Sec. 23. Section 8.57, subsection 6, paragraph h, Code
21 10 2007, is amended to read as follows:

21 11 h. Annually, on or before January ~~1~~ 15 of each year, a
21 12 state agency that received an appropriation from the rebuild
21 13 Iowa infrastructure fund ~~for the preceding fiscal year~~ shall
21 14 report to the ~~joint transportation, infrastructure, and~~
21 15 ~~capitals appropriation subcommittee, the legislative services~~
21 16 ~~agency, and the department of management, and the legislative~~
21 17 ~~capital projects committee of the legislative council~~ the
21 18 status of all ~~ongoing projects for which an appropriation from~~
21 19 ~~the fund has been made completed or in progress.~~ The report
21 20 shall include a description of the project, the progress of
21 21 work completed, the total estimated cost of the project, a
21 22 list of all revenue sources being used to fund the project,
21 23 the amount of funds expended, the amount of funds obligated,
21 24 and ~~the date the project was completed or~~ an estimated
21 25 completion date of the project, ~~where applicable.~~

21 26 Sec. 24. Section 8.57A, subsection 5, Code 2007, is
21 27 amended to read as follows:

21 28 5. Annually, on or before January ~~1~~ 15 of each year, a
21 29 state agency that received an appropriation from the
21 30 environment first fund ~~for the preceding fiscal year~~ shall
21 31 report to the ~~joint transportation, infrastructure, and~~
21 32 ~~capitals appropriation subcommittee, the legislative services~~
21 33 ~~agency, and the department of management, and the legislative~~
21 34 ~~capital projects committee of the legislative council~~ the
21 35 status of all ~~ongoing projects for which an appropriation from~~
22 1 ~~the fund has been made completed or in progress.~~ The report
22 2 shall include a description of the project, the progress of
22 3 work completed, the total estimated cost of the project, a
22 4 list of all revenue sources being used to fund the project,
22 5 the amount of funds expended, the amount of funds obligated,
22 6 and ~~the date the project was completed or~~ an estimated
22 7 completion date of the project, ~~where applicable.~~

22 8 Sec. 25. Section 8.57B, subsection 5, Code 2007, is
22 9 amended to read as follows:

22 10 5. Annually, on or before January ~~1~~ 15 of each year, a
22 11 state agency that received an appropriation from the vertical
22 12 infrastructure fund ~~for the preceding fiscal year~~ shall report
22 13 to the ~~joint transportation, infrastructure, and capitals~~
22 14 ~~appropriation subcommittee, the legislative services agency,~~
22 15 ~~and the department of management, and the legislative capital~~
22 16 ~~projects committee of the legislative council~~ the status of
22 17 all ~~ongoing projects for which an appropriation from the fund~~
22 18 ~~has been made completed or in progress.~~ The report shall
22 19 include a description of the project, the progress of work
22 20 completed, the total estimated cost of the project, a list of
22 21 all revenue sources being used to fund the project, the amount
22 22 of funds expended, the amount of funds obligated, and ~~the date~~
22 23 ~~the project was completed or~~ an estimated completion date of
22 24 the project, ~~where applicable.~~

22 25 Sec. 26. Section 8.57C, subsection 4, Code 2007, is
22 26 amended to read as follows:

22 27 4. Annually, on or before January ~~1~~ 15 of each year, a
22 28 state agency that received an appropriation from this fund ~~for~~
22 29 ~~the preceding fiscal year~~ shall report to the ~~joint~~
22 30 ~~transportation, infrastructure, and capitals appropriation~~
22 31 ~~subcommittee, the legislative services agency, and the~~
22 32 ~~department of management, and the legislative capital projects~~
22 33 ~~committee of the legislative council~~ the status of all ~~ongoing~~
22 34 ~~projects for which an appropriation from this fund has been~~
22 35 ~~made completed or in progress.~~ The report shall include a
23 1 description of the project, the progress of work completed,
23 2 the total estimated cost of the project, a list of all revenue
23 3 sources being used to fund the project, the amount of funds
23 4 expended, the amount of funds obligated, and ~~the date the~~
23 5 ~~project was completed or~~ an estimated completion date of the
23 6 project, ~~where applicable.~~

23 7 Sec. 27. Section 8A.321, subsection 11, Code 2007, is
23 8 amended to read as follows:

23 9 11. Prepare annual status reports for all ~~ongoing~~ capital

23 10 projects in progress of the department, and submit the status
23 11 reports to the joint transportation, infrastructure, and
~~23 12 capitals appropriation subcommittee legislative services~~
23 13 agency and the department of management on or before January
23 14 15 of each year.

23 15 Sec. 28. NEW SECTION. 249K.1 PURPOSE == INTENT.

23 16 The purpose of this chapter is to provide a mechanism to
23 17 support the appropriate number of nursing facility beds for
23 18 the state's citizens and to financially assist nursing
23 19 facilities in remaining compliant with applicable regulations.
23 20 It is the intent of this chapter that the administrative
23 21 burden on both the state and nursing facilities be minimal.

23 22 Sec. 29. NEW SECTION. 249K.2 DEFINITIONS.

23 23 As used in this chapter, unless the context otherwise
23 24 requires:

23 25 1. "Complete replacement" means completed construction on
23 26 a new nursing facility to replace an existing licensed and
23 27 certified facility. The replacement facility shall be located
23 28 in the same geographical service area as the facility that is
23 29 replaced and shall have the same number or fewer licensed beds
23 30 than the original facility.

23 31 2. "Department" means the department of human services.

23 32 3. "Iowa Medicaid enterprise" means Iowa Medicaid
23 33 enterprise as defined in section 249J.3.

23 34 4. "Major renovations" means construction or facility
23 35 improvements to a nursing facility in which the total amount
24 1 expended exceeds one million five hundred thousand dollars.

24 2 5. "Medical assistance" or "medical assistance program"
24 3 means the medical assistance program created pursuant to
24 4 chapter 249A.

24 5 6. "New construction" means the construction of a new
24 6 nursing facility which does not replace an existing licensed
24 7 and certified facility and requires the provider to obtain a
24 8 certificate of need pursuant to chapter 135, division VI.

24 9 7. "Nondirect care component" means the portion of the
24 10 reimbursement rate under the medical assistance program
24 11 attributable to administrative, environmental, property, and
24 12 support care costs reported on the provider's financial and
24 13 statistical report.

24 14 8. "Nursing facility" means a nursing facility as defined
24 15 in section 135C.1.

24 16 9. "Provider" means a current or future owner or operator
24 17 of a nursing facility that provides medical assistance program
24 18 services.

24 19 10. "Rate determination letter" means the letter that is
24 20 distributed quarterly by the Iowa Medicaid enterprise to each
24 21 nursing facility, which is based on previously submitted
24 22 financial and statistical reports from each nursing facility.

24 23 Sec. 30. NEW SECTION. 249K.3 GENERAL PROVISIONS ==
24 24 INSTANT RELIEF == NONDIRECT CARE LIMIT EXCEPTION.

24 25 1. A provider that constructs a complete replacement,
24 26 makes major renovations to or newly constructs a nursing
24 27 facility may be entitled to the rate relief and exceptions
24 28 provided under this chapter. The total period during which a
24 29 provider may participate in any relief shall not exceed two
24 30 years. The total period during which a provider may
24 31 participate in any nondirect care limit exception shall not
24 32 exceed ten years. A provider seeking assistance under this
24 33 chapter may request both instant relief and the nondirect care
24 34 limit exception.

24 35 2. If the provider requests instant relief, the following
25 1 provisions shall apply:

25 2 a. The provider shall submit a written request for instant
25 3 relief to the Iowa Medicaid enterprise explaining the nature,
25 4 timing, and goals of the project and the time period during
25 5 which the relief is requested. The written request shall
25 6 clearly state if the provider is also requesting the nondirect
25 7 care limit exception. The written request for instant relief
25 8 shall be submitted no earlier than thirty days prior to the
25 9 placement of the provider's assets in service. The written
25 10 request for relief shall provide adequate details to calculate
25 11 the estimated value of relief including but not limited to the
25 12 total cost of the project, the estimated annual depreciation
25 13 expenses using generally accepted accounting principles, the
25 14 estimated useful life based upon existing medical assistance
25 15 and Medicare provisions, and a copy of the most current
25 16 depreciation schedule. If interest expenses are included, a
25 17 copy of the general terms of the debt service and the
25 18 estimated annual amount of the interest expenses shall be
25 19 submitted with the written request for relief.

25 20 b. The following shall apply to the value of relief

25 21 amount:

25 22 (1) If interest expenses are disclosed, the amount of

25 23 these expenses shall be added to the value of relief.

25 24 (2) The calculation of the estimated value of relief shall

25 25 take into consideration the removal of existing assets and

25 26 debt service.

25 27 (3) The calculation of the estimated value of relief shall

25 28 be demonstrated as an amount per patient day to be added to

25 29 the nondirect care component for the relevant period. The

25 30 estimated annual patient days for this calculation shall be

25 31 determined based upon budgeted amounts or the most recent

25 32 annual total as demonstrated on the provider's Medicaid

25 33 financial and statistical report. For the purposes of

25 34 calculating the per diem relief, total patient days shall be

25 35 the greater of the estimated annual patient days or

26 1 eighty-five percent of the facility's estimated licensed

26 2 capacity.

26 3 (4) The combination of the nondirect care component and

26 4 the estimated value of relief shall not exceed one hundred and

26 5 ten percent of the nondirect care median for the relevant

26 6 period. If a nondirect care limit exception has been

26 7 requested and granted, the combination of the nondirect care

26 8 component and the estimated value of relief shall not exceed

26 9 one hundred twenty percent of the nondirect care median for

26 10 the relevant period.

26 11 c. Instant relief granted under this subsection shall

26 12 begin the first day of the calendar quarter following

26 13 placement of the provider's assets in service. If the

26 14 required information to calculate the instant relief, as

26 15 specified in paragraph "a", is not submitted prior to the

26 16 first day of the calendar quarter following placement of the

26 17 provider's assets in service, instant relief shall instead

26 18 begin on the first day of the calendar quarter following

26 19 receipt of the required information.

26 20 d. Instant relief granted under this subsection shall be

26 21 terminated at the time of the provider's subsequent biannual

26 22 rebasing when the submission of the annual cost report for the

26 23 provider includes the new replacement costs and the annual

26 24 property costs reflect the new assets.

26 25 e. During the period in which instant relief is granted,

26 26 the Iowa Medicaid enterprise shall recalculate the value of

26 27 the instant relief based on allowable costs and patient days

26 28 reported on the annual financial and statistical report. For

26 29 purposes of calculating the per diem relief, total patient

26 30 days shall be the greater of actual annual patient days or

26 31 eighty-five percent of the facility's licensed capacity. The

26 32 actual value of relief shall be added to the nondirect care

26 33 component for the relevant period, not to exceed one hundred

26 34 ten percent of the nondirect care median for the relevant

26 35 period or not to exceed one hundred twenty percent of the

27 1 nondirect care median for the relevant period if the nondirect

27 2 care limit exception is requested and granted. The provider's

27 3 quarterly rates for the relevant period shall be retroactively

27 4 adjusted to reflect the revised nondirect care rate. All

27 5 claims with dates of service from the date that instant relief

27 6 is granted to the date that the instant relief is terminated

27 7 shall be repriced to reflect the actual value of the instant

27 8 relief per diem utilizing a mass adjustment.

27 9 3. If the provider requests the nondirect care limit

27 10 exception, all of the following shall apply:

27 11 a. The nondirect care limit for the rate setting period

27 12 shall be increased to one hundred and twenty percent of the

27 13 median for the relevant period.

27 14 b. The exception period shall not exceed a period of two

27 15 years. If the provider is requesting only the nondirect care

27 16 limit exception, the request shall be submitted within sixty

27 17 days of the release of the July 1 rate determination letters

27 18 following each biannual rebasing cycle, and shall be effective

27 19 the first day of the month following receipt of the request.

27 20 If applicable, the provider shall identify any time period in

27 21 which instant relief was granted and shall indicate how many

27 22 times the instant relief or nondirect care limit exception was

27 23 granted previously.

27 24 Sec. 31. NEW SECTION. 249K.4 PRELIMINARY EVALUATION.

27 25 1. A provider preparing cost or other feasibility

27 26 projections for a request for relief or an exception pursuant

27 27 to section 249K.3 may submit a request for preliminary

27 28 evaluation.

27 29 2. The request shall contain all of the information

27 30 required for the type of assistance sought pursuant to section

27 31 249K.3.

27 32 3. The provider shall estimate the timing of the
27 33 initiation and completion of the project to allow the
27 34 department to respond with estimates of both instant relief
27 35 and the nondirect care limit exception.

28 1 4. The department shall respond to a request for
28 2 preliminary evaluation under this section within thirty days
28 3 of receipt of the request. A preliminary evaluation does not
28 4 guarantee approval of instant relief or the nondirect care
28 5 limit exception upon submission of a formal request. A
28 6 preliminary evaluation provides only an estimate of value of
28 7 the instant relief or nondirect care limit exception based
28 8 only on the projections.

28 9 Sec. 32. NEW SECTION. 249K.5 PARTICIPATION CRITERIA.

28 10 1. The Iowa Medicaid enterprise shall administer this
28 11 chapter. The department of human services shall adopt rules,
28 12 pursuant to chapter 17A, to administer this chapter.

28 13 2. A provider requesting instant relief or a nondirect
28 14 care limit exception under this chapter shall meet one of the
28 15 following criteria:

28 16 a. The nursing facility for which relief or an exception
28 17 is requested is in violation of life safety code requirements
28 18 and changes are necessary to meet regulatory compliance.

28 19 b. The nursing facility for which relief or an exception
28 20 is requested is proposing development of a home and
28 21 community-based services waiver program service that meets the
28 22 following requirements:

28 23 (1) The service is provided on the direct site and is a
28 24 nonnursing service.

28 25 (2) The service is provided in an underserved area, which
28 26 may include a rural area, and the nursing facility provides
28 27 documentation of this.

28 28 (3) The service meets all federal and state requirements.

28 29 (4) The service is adult day care, consumer directed
28 30 attendant care, assisted living, day habilitation, home
28 31 delivered meals, personal emergency response, or respite.

28 32 3. In addition to any other factors to be considered in
28 33 determining if a provider is eligible to participate under
28 34 this chapter, the Iowa Medicaid enterprise shall consider all
28 35 of the following:

29 1 a. The history of the provider's regulatory compliance.

29 2 b. The historical access to nursing facility services for
29 3 medical assistance program beneficiaries.

29 4 c. The provider's dedication to and participation in
29 5 quality of care, considering all quality programs in which the
29 6 provider has participated.

29 7 d. The provider's plans to facilitate person-directed
29 8 care.

29 9 e. The provider's plans to facilitate dementia units and
29 10 specialty post-acute services.

29 11 4. a. Any relief or exception granted under this chapter
29 12 is temporary and shall be immediately terminated if all of the
29 13 participation requirements under this chapter are not met.

29 14 b. If a provider's medical assistance program or Medicare
29 15 certification is revoked, any existing exception or relief
29 16 shall be terminated and the provider shall not be eligible to
29 17 request subsequent relief or an exception under this chapter.

29 18 5. Following a change in ownership, relief or an exception
29 19 previously granted shall continue and future rate calculations
29 20 shall be determined under the provisions of 441 IAC 81.6(12)
29 21 relating to termination or change of ownership of a nursing
29 22 facility.

29 23 Sec. 33. Section 328.56, subsection 2, as enacted by 2006
29 24 Iowa Acts, chapter 1179, section 57, is amended to read as
29 25 follows:

29 26 2. Moneys in the ~~state aviation fund in a fiscal year~~
29 27 ~~shall be used as appropriated by the general assembly are~~
29 28 appropriated to the department of transportation for use by
29 29 the department for airport engineering studies, construction
29 30 or improvements, and the windsock program for public airports
29 31 and marketing at commercial service airports. In awarding
29 32 moneys, the department shall give preference to projects that
29 33 demonstrate a collaborative effort between airports.

29 34 Sec. 34. IMPLEMENTATION == LIMITATION.

29 35 1. Chapter 249K, as enacted by this division of this Act,
30 1 shall only be implemented if the department of human services
30 2 receives approval from the centers for Medicare and Medicaid
30 3 services of the United States department of health and human
30 4 services for a medical assistance state plan amendment. If
30 5 approval is received, the chapter shall not be implemented
30 6 retroactively to the effective date of the chapter in this
30 7 division of this Act, but shall be implemented only on or

30 8 after the date of approval.

30 9 2. The Iowa Medicaid enterprise shall only approve instant
30 10 relief or a nondirect care limit exception under chapter 249K,
30 11 as enacted by this division of this Act, to the extent funding
30 12 is available.

30 13 Sec. 35. Section 8A.330, Code 2007, is repealed.

30 14 Sec. 36. EFFECTIVE DATE. The sections of this division
30 15 creating new chapter 249K, being deemed of immediate
30 16 importance, take effect upon enactment.

30 17 EXPLANATION

30 18 This bill makes appropriations from the rebuild Iowa
30 19 infrastructure fund, the vertical infrastructure fund, the
30 20 endowment for Iowa's health restricted capitals fund, and the
30 21 technology reinvestment fund for various capital and other
30 22 projects. The bill also makes changes to related matters.

30 23 REBUILD IOWA INFRASTRUCTURE FUND. This division
30 24 appropriates project funding for FY 2007=2008 from the rebuild
30 25 Iowa infrastructure fund, including projects for the
30 26 departments of administrative services, corrections, cultural
30 27 affairs, economic development, education, human services,
30 28 natural resources, public defense, public safety, and
30 29 transportation, and the Iowa finance authority, Iowa state
30 30 fair, secretary of state, state board of regents, and
30 31 treasurer of state. The division also appropriates project
30 32 funding from the rebuild Iowa infrastructure fund for FY
30 33 2008=2009 to the departments of administrative services,
30 34 natural resources, public defense, and the state board of
30 35 regents, and for FY 2009=2010 to the department of public
31 1 defense and the state board of regents.

31 2 VERTICAL INFRASTRUCTURE FUND. This division appropriates
31 3 funding from the vertical infrastructure fund to the state
31 4 board of regents.

31 5 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND. This
31 6 division appropriates funding from the endowment for Iowa's
31 7 health restricted capitals fund to the department of
31 8 corrections.

31 9 TECHNOLOGY REINVESTMENT FUND. This division appropriates
31 10 funding from the technology reinvestment fund to the
31 11 departments of administrative services, corrections,
31 12 education, human rights, human services, public defense, and
31 13 public safety, the Iowa telecommunications and technology
31 14 commission, Iowa workforce development, and the state board of
31 15 regents.

31 16 MISCELLANEOUS APPROPRIATIONS. This division appropriates
31 17 funding from the state aviation fund to the department of
31 18 transportation.

31 19 CHANGES TO PRIOR APPROPRIATIONS. This division makes
31 20 changes to prior appropriations from the tax-exempt bond
31 21 proceeds restricted capitals fund account of the tobacco
31 22 settlement trust fund to the department of administrative
31 23 services, the department of corrections, and the department of
31 24 transportation for the 2002=2003, 2004=2005, and 2006=2007
31 25 fiscal years. This division also makes changes to prior
31 26 appropriations from the endowment for Iowa's health account to
31 27 the department of natural resources for the 2006=2007 fiscal
31 28 year.

31 29 MISCELLANEOUS CODE CHANGES. This division makes changes to
31 30 the statute relating to the state aviation fund. The bill
31 31 specifies that moneys in the fund are appropriated to the
31 32 department of transportation for use by the department.

31 33 The division makes changes to certain reporting
31 34 requirements for capital projects in progress for certain
31 35 state agencies that received an appropriation including
32 1 appropriations from the rebuild Iowa infrastructure fund, the
32 2 environment first fund, the vertical infrastructure fund, or
32 3 the technology reinvestment fund.

32 4 The division provides for financial assistance to nursing
32 5 facility providers under new Code chapter 249K. A provider
32 6 may request either instant relief, which is a per-patient day
32 7 amount to be added to the current direct care component, or a
32 8 nondirect care limit exception, which is an increase in the
32 9 nondirect care limit for the relevant period to 120 percent of
32 10 the median for the relevant period. The assistance may be
32 11 requested by a provider who constructs a complete replacement,
32 12 makes major renovations, or newly constructs a nursing
32 13 facility. The total period during which a provider may
32 14 participate in any relief is a maximum of two years. The
32 15 total period during which a provider may participate in the
32 16 nondirect care limit exception is a maximum of 10 years. The
32 17 division also provides for the requesting of a preliminary
32 18 evaluation for providers preparing cost or other feasibility

32 19 projections. The provisions are to be administered by the
32 20 department of human services. The division provides
32 21 participation criteria and provides for contingent
32 22 implementation and only to the extent funding is available.
32 23 The sections adding new Code chapter 249K take effect upon
32 24 enactment.
32 25 LSB 1134HV 82
32 26 rh:mg/gg/14